

Tabled: 2/19/70  
Resubmitted: 2/26/70

MEMORANDUM

TO: Boston Redevelopment Authority  
FROM: John D. Warner, Director  
SUBJECT: BOARD OF APPEAL REFERRALS

Re: Petition No. Z-1771  
George S. Davis  
222-226 Cambridge Street, Boston

Petitioner seeks a Forbidden Use Permit and a variance for a change of occupancy from a hall and two families to nine apartments and two stores in a Local Business (L-2) district. The proposal would violate the code as follows:

Sect. 8-7 Any dwelling converted for more families and not meeting one-half the requirements for open space is Forbidden in an L-2 district.

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 17-1 Open space is insufficient	150 sf/du	25 sf/du

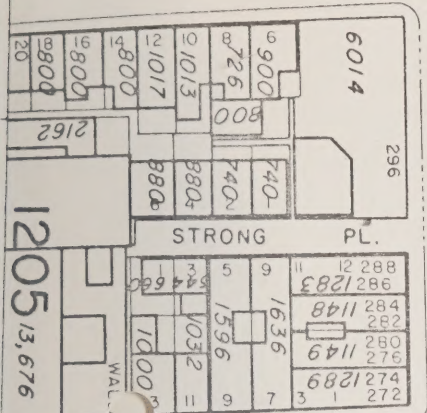
The property, located on Cambridge Street at the intersection of Irving Street, contains a four story brick structure. The petitioner proposes to create nine-two bedroom apartments, each unit containing approximately 500 square feet. The proposed density is too excessive for this mixed commercial-residential area. The staff recommends that six apartment units consisting of approximately 750 square feet per unit be allowed. This reduction in density would mitigate the open space violation. Recommend denial as submitted.

VOTED: That in connection with Petition No. Z-1771, brought by George S. Davis, 222-226 Cambridge Street, Boston, for a change of occupancy from a hall and two families to nine apartments and two stores in a Local Business (L-2) district, the Boston Redevelopment Authority recommends denial as submitted. The proposed density of nine apartments is too excessive for this commercial-residential area. The Authority recommends that six apartment units containing approximately 750 square feet per unit be constructed. This reduction in density would mitigate the open space violation.

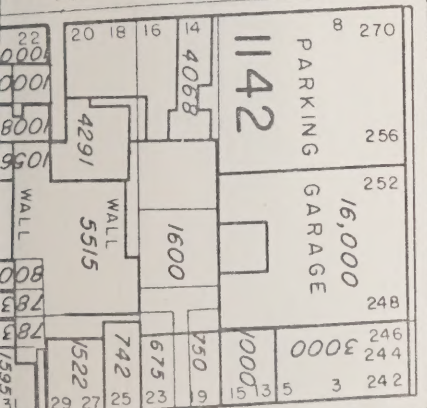




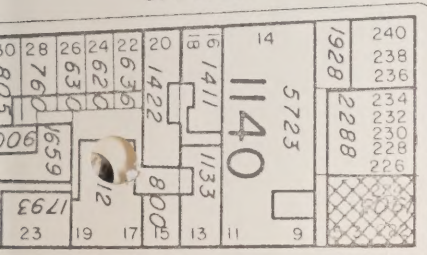
GROVE



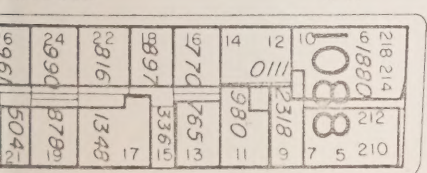
ANDERSON PL. ANDERSON



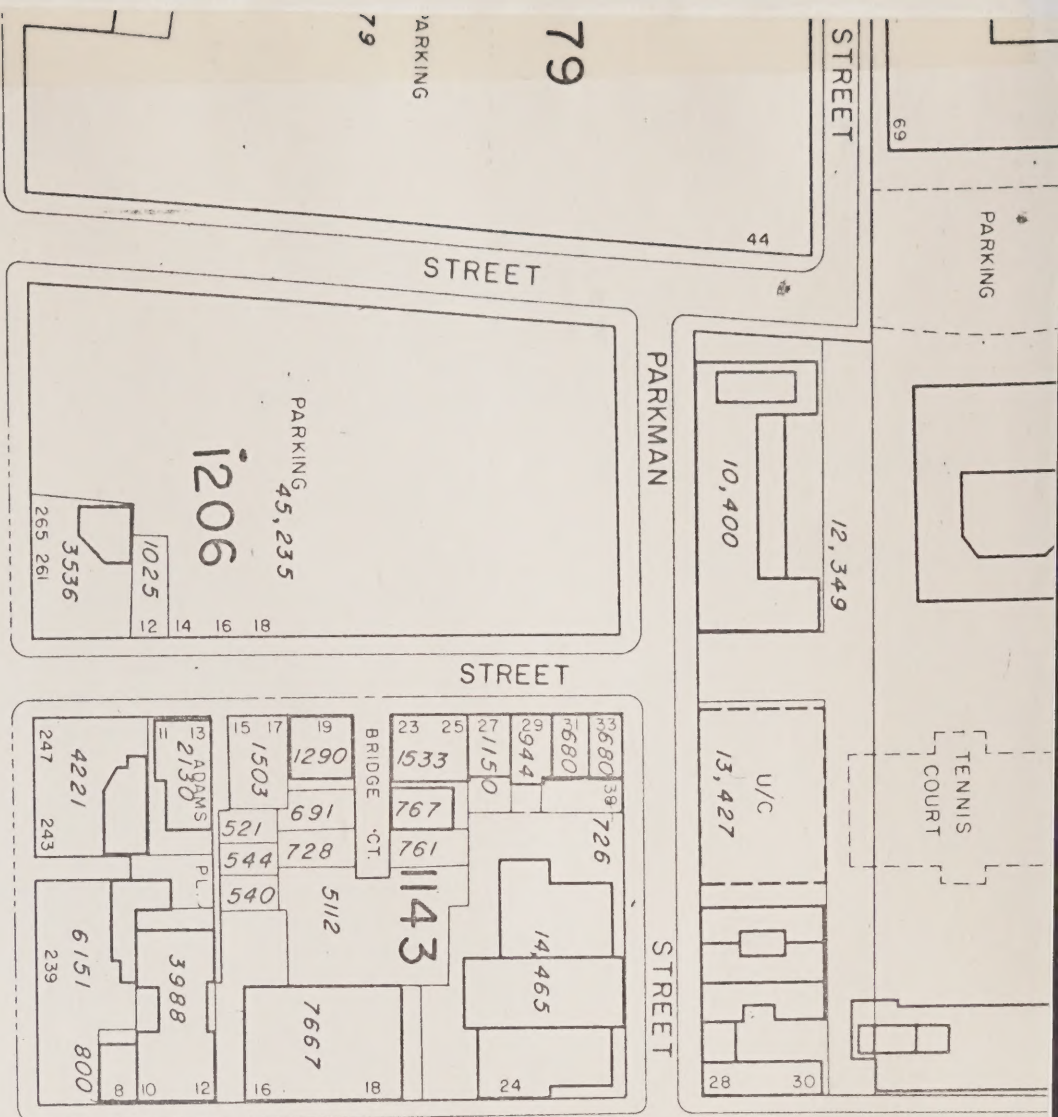
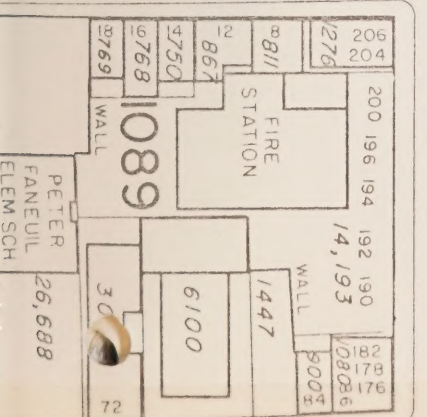
GARDEN ST.



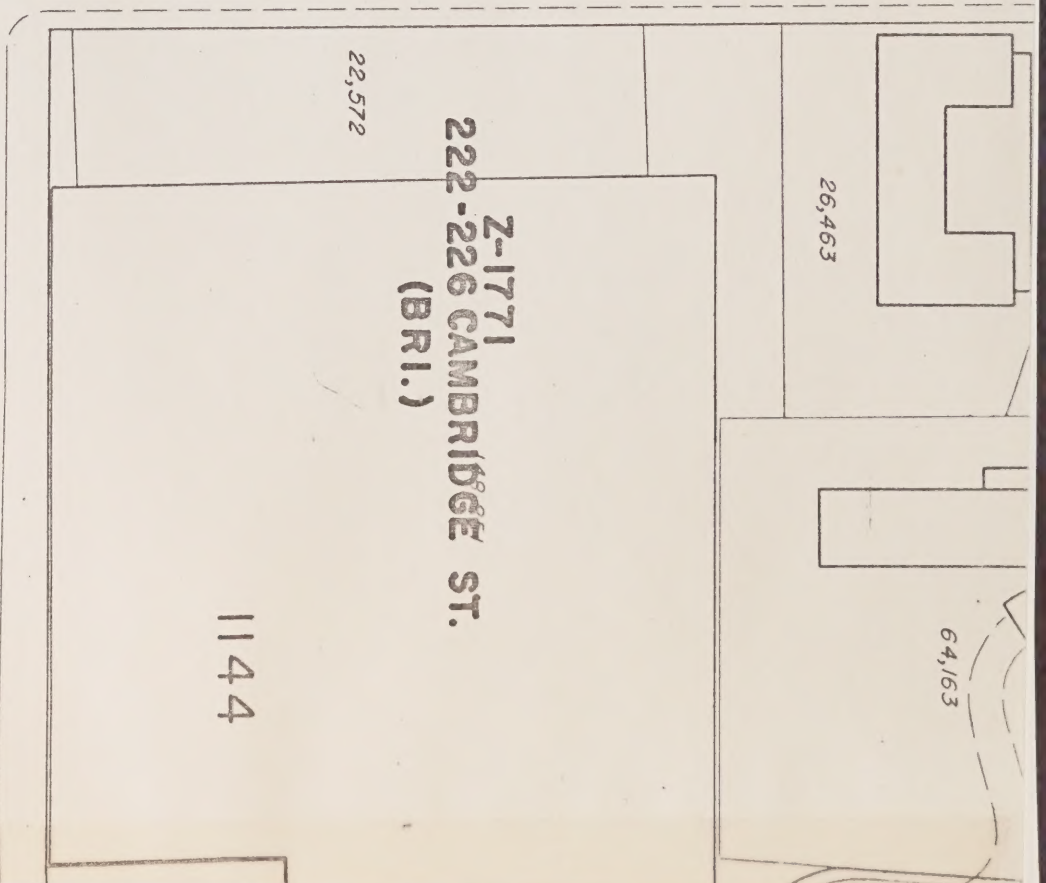
IRVING ST.



SOUTH RUSSELL ST.



BLOSSOM



ST.



Re: Petition No. Z-1795  
Faneuil Realty Trust  
100 Tremont Street, Brighton

Petitioner seeks a Forbidden Use Permit and nine variances to erect a six story 40 unit apartment dwelling and garage in a Residential (R-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A multi-family dwelling is Forbidden in an R-.5 district.		
Sect. 14-1	Lot area is insufficient	2 acres	16,689 sf
Sect. 14-2	Lot area for additional dwelling unit is insufficient	3000 sf/du	0
Sect. 14-3	Lot width is insufficient	200 ft.	135 ft.
Sect. 15-1	Floor area ratio is excessive	0.5	2.2
Sect. 16-1	Height of building is excessive	2 stories	6 stories
		35 ft.	56 ft.
Sect. 17-1	Open space is insufficient	1000 sf/du	0
Sect. 18-1	Front yard is insufficient	25 ft.	17 ft.
Sect. 20-1	Rear yard is insufficient	40 ft.	30 ft.
Sect. 10-1	Parking not allowed in front yard nor within 5 feet of side lot line		

The property, located on Tremont Street near the intersection of Tremont Place, contains 16,689 square feet of vacant land. The proposed density of 40 units and the building height of six stories are excessive and unreasonable. The floor area ratio is more than four times the code requirement. However, as the neighborhood is conducive to apartment dwelling, the staff would be amenable to a lower density of not more than 24 units. Recommend denial.

VOTED: That in connection with Petition No. Z-1795, brought by Faneuil Realty Trust, 100 Tremont Street, Boston, for a Forbidden Use Permit and variances of insufficient lot area, lot area for additional dwelling unit, lot width, open space, front yard, rear yard, excessive floor area ratio, building height and parking not allowed in front yard nor within five feet of side lot line to erect a six story, 40 unit apartment dwelling in a Residential (R-.5) district, the Boston Redevelopment Authority recommends denial. The proposed density and building height are excessive and unreasonable. The proposed floor area would be more than four times the code requirement. However, as the neighborhood is conducive to apartment dwelling, a reduction to a density of not more than 24 units would be acceptable.



Z-1795  
100 TREMONT ST.  
(BRI.)





Re: Petition No. Z-1787  
Frank Cavaliere  
11 Curtis Street, East Boston

Petitioner seeks a forbidden use permit and six variances to erect a two story addition to a retail outlet building in a residential (R-.8) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	Display or sales space of a jobbing or distributing house is Forbidden in an R-.8 district.		
Sect. 14-2	Lot area for additional unit is insufficient	1500 sf/u	526 sf/u
Sect. 15-1	Floor area ratio is excessive	0.8	1.9
Sect. 18-4	Front yard is insufficient	25 ft.	4 ft.
Sect. 19-1	Side yard is insufficient	10 ft.	3 ft.
Sect. 20-1	Rear yard is insufficient	40 ft.	0
Sect. 23-4	Off street parking not provided	16 spaces	0

The property, located on Curtis Street between Chaucer and Saratoga Streets, contains a one story masonry structure utilized for the retail sale of floor coverings. The proposed extension would be erected at the rear of the retail structure and would front on Saratoga Street. An existing two family dwelling on Saratoga Street would be demolished. The extension of a commercial use to a residential street is inappropriate, would increase traffic and congestion, and would have a deleterious affect on the quality of the homes in the neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-1787, brought by Frank Cavaliere, 11 Curtis Street, East Boston, for variances of insufficient lot area for additional unit, front yard, side yard, rear yard, excessive floor area ratio and off street parking not provided to erect a two story addition to a retail outlet in a Residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The extension of a commercial use to a residential street is inappropriate, would increase traffic and congestion and would have a deleterious affect on the quality of the homes in the neighborhood.



[illegible]



Re: Petition No. Z-1788-1789  
Leon R. Kaplan  
157-& 163 Hemenway Street, Boston

Petitioner seeks two Conditional Use Permits for a change of occupancy from 20 apartments to a dormitory for 80 students and from 25 apartments to a dormitory for 100 students in an Apartment (H-3) district. The proposal would violate the code as follows:

157 Hemenway Street

Sect. 8-7 A dormitory for 80 students is Conditional in H-3 district.

163 Hemenway Street

Sect. 8-7 A dormitory for 100 students is Conditional in an H-3 district. The property, located on Hemenway Street near the intersection of Forsyth Street in the Fenway Urban Renewal Area, contains two four story brick structures. The petitioner states the structures have been leased to Northeastern University which at a future date will acquire them. The structures are presently being utilized as dormitories. The proposal is contrary to the residential rehabilitation objectives of the Fenway Urban Renewal Plan for this neighborhood. Dormitories for 180 students would create a critical traffic problem in an area which is already heavily congested and which lacks adequate off-street parking facilities. Recommend denial.

VOTED: That in connection with Petitions Nos. Z-1788-Z-1789, brought by Leon R. Kaplan, 157-163 Hemenway Street, Boston, for two Conditional Use Permits for a change of occupancy from 20 apartments to a dormitory for 80 students and from 25 apartments to a dormitory for 100 students in an Apartment (H-3) district, the Boston Redevelopment Authority recommends denial. The proposal is contrary to the residential rehabilitation objectives which are specified in the Fenway Urban Renewal Plan for this neighborhood. Dormitories for 180 students would create a critical traffic problem in an area which is already heavily congested and which lacks adequate off-street parking facilities.





BACK

FORSYTH WAY

FORSYTH DENTAL INFIRMARY FOR CHILDREN

PARKING AREA FENWAY

CATHOLIC GUIDANCE CENTRE

JOSEPH P. KENNEDY JR. MEM. BLDG.

FORSYTH PARK

ST.

STEPHEN ST.

Z-1788-89  
157-163 HEMENWAY ST.  
(B.P.)

M.T.A. RESERVATION

NORTHEASTERN

4503

4505

FENCOURT ST.

4504

4574

45

38,81

7646

59,485

56,817

38,737

PARKING

3641

9240

3000

9000

3500

3500

3500

FENWAY

HEMENWAY

ST.

M.T.A.

RESERVATION

NORTHEASTERN

42,169

69,373

PARKING

6360

9000

9000

3000

9240

3641

6259

7868

2298

2202

2056

2183

45

38,81

56,817

38,737

PARKING

45

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56,817

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PARKING

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PARKING

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56,817

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Re: Petitions Nos. Z-1791-Z-1794  
 Boston East Corporation Inc.  
 90-100-140-150 Border Street, East Boston

Petitioner seeks a Forbidden Use Permit, nine Conditional Use Permits and eleven variances to erect four buildings (38-38-22-10 stories respectively) in a Water-front, Planned Development Area (W-2D) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
<u>90 Border Street</u> (38 stories)			
Sect. 8-7	A multi-family dwelling is a Conditional Use in a W-2D district		
Sect. 8-7	A parking garage is a Conditional Use in a W-2D district		
Sect. 15-1	Floor area ratio is excessive	2	4.7
Sect. 20-1	Rear yard is insufficient	12 ft.	0
Sect. 21-1	Setback of parapet is insufficient	98 ft.	0
		22 ft.	0
<u>100 Border Street</u> (22 stories)			
Sect. 8-7	A multi-family dwelling is a Conditional Use in a W-2D district		
Sect. 8-7	A parking garage is a Conditional Use in a W-2D district		
Sect. 15-1	Floor area ratio is excessive	2	3.2
Sect. 20-1	Rear yard is insufficient	12 ft.	0
Sect. 21-1	Setback of parapet is insufficient	75 ft.	0
		46 ft.	32 ft.
<u>140 Broder Street</u> (10 stories)			
Sect. 8-7	A Hotel is Forbidden in a W-2D district		
Sect. 8-7	Retail stores are Conditional in W-2d district		
Sect. 8-7	Offices are Conditional in a W-2D district		
Sect. 8-7	A Parking garage is a Conditional Use in a W-2D district		
Sect. 15-1	Floor Area Ratio is excessive	2	3.2
Sect. 21-1	Setback of parapet is insufficient	66 ft.	0
		66 ft.	42 ft.
<u>150 Border Street</u> (38 stories)			
Sect. 8-7	A multi-family dwelling is a Conditional Use in a W-2D district		
Sect. 8-7	A parking garage is a Conditional Use in a W-2D district		
Sect. 15-1	Floor area ratio is excessive	2	4.7
Sect. 20-1	Rear yard is insufficient	12 ft.	0
Sect. 21-1	Setback of parapet is insufficient	98 ft.	0
		22 ft.	0

The property, located on Border Street opposite the intersection of Decatur Street, contains 143,000 square feet of land. The structures would contain approximately 1160 apartment units, 1660 garage parking spaces, an elementary school accommodating 400 students, a 400 room hotel, approximately 50,000 square feet of office space and 26,500 square feet of retail store space. The developer, Boston East



Corporation, Inc., at an earlier date filed for a Planned Development Area designation. After several months of discussions with the Authority staff, a building plan was agreed upon. This plan was approved by the Authority and the area designated as a Planned Development Area by the Zoning Commission. The developer on February 2, 1970 filed applications and plans with the Building Department. Both the applications and the plans as presented were not certified by the Authority as required under the Planned Development Area procedure. The certified plans were not filed. The plans as now submitted vary substantially from those agreed upon. The Public Facilities Commission now contemplates placing an elementary school on the fourth and fifth floors of one of the buildings. The developer has agreed to this proposal. The B.R.A. staff has reservations about this proposal and needs time to review it. Because the developer has substantially altered his plans and inasmuch as the Public Facilities Commission has presented a proposal for an elementary school within the development the BRA staff must review the changes and make further recommendations as required under the Planned Development Area process.

VOTED: That in connection with Petitions Nos. Z-1791-Z-1794, brought by Boston East Corporation, Inc., 90-100-140-150 Border Street, East Boston, for a Forbidden Use Permit, nine Conditional Use Permits and eleven variances to erect four buildings (38-38-22-10 stories respectively) in a Waterfront, Planned Development Area (W-2D) district, the Boston Redevelopment Authority recommends that it notify the Board of Appeal to not hold a hearing or make a decision on the applications of the developer, Boston East Corporation, Inc. until the Boston Redevelopment Authority has reviewed the developer's plans and has certified these plans are consistent with the development plan for the Planned Development Area.





APPROX.

476,631

2196

105,341

Z-1791-94

90-150 BORDER ST.  
(E.B.)

37,966

NEW STREET

STREET

MAVERICK

2124

355,500

BORDER

STREET

1040	2	1040	1040	1040
65	67	320	6578	71700
65	67	320	6578	71700
65	67	320	6578	71700